



City of Seattle

Edward B. Murray, Mayor

Seattle Office for Civil Rights

Patricia Lally, Director

Memo

Date: January 23, 2014

To: Councilmember Licata, Chair
Finance and Culture Committee

From: Patricia Lally, Director
Karina Bull, Policy Analyst & Business Liaison

Subject: Minimum Wage Ordinance – Rulemaking Process Update

Briefing Objective:

This briefing provides an update on the rulemaking process for the Minimum Wage Ordinance by the Seattle Office for Civil Rights.

Overview:

SOCR based the MWO rulemaking process on past experiences with rulemaking for Paid Sick and Safe Time (PSST) and the Job Assistance Ordinance (JAO). Similar to those experiences, SOCR conducted public engagement and gathered input from a range of communities impacted by the Minimum Wage Ordinance.

[MWO Website](#) –SOCR created a MWO web site that will be revised and expanded on an on-going basis.

- FAQs, other outreach materials & calendar of Events
- Email/Phone for SOCR staff to answer questions
- Draft and Final Rules (Jan/February)
- Link to Multilingual Mobile Application (March)
- Multilingual Documents (March)

[Public Meetings](#) - SOCR held three public meetings at diverse locations and times to hear questions that informed our MWO rulemaking process. Over 100 individuals attended the meetings.

[Smaller Listening Sessions](#) – SOCR held smaller meetings with business organizations and individuals to more directly engage with the community (e.g. Filipino Chamber, National Coalition for Asian Pacific American Community Development, Hospitality Association, and King County Bar Association). SOCR also answered over 100 emails/calls, primarily from employers.

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Tel: (206) 684-4500, Fax: (206) 684-0332, TYY (206) 684-4503, website <http://www.seattle.gov/civilrights/>
An equal opportunity - affirmative action employer. Accommodations for people with disabilities provided upon request.

Stakeholder Group - SOCR coordinated four meetings with a group of MWO stakeholders to identify rule issues and provide feedback on rule drafts. The stakeholder group was assembled by the Mayor and represented diverse community interests, including ethnic minority owned business, low wage workers, immigrant and refugee communities and labor and business representatives.

City Partnerships - SOCR is working with Finance and Administrative Services, Office of Economic Development, Office of Immigrant and Refugee Affairs, Seattle Police Department and City Attorney's Office to coordinate additional outreach and enforcement efforts.

Outreach Materials – SOCR created one-page summaries of the ordinance for small and large employers. These summaries are posted on the web site and we are beginning to distribute these documents to payroll businesses to share with their clients. For example, one payroll provider sent the summaries to 300 Seattle clients who run small restaurants. SOCR will continue to develop marketing materials including a mass mailing for employers with City business licenses, bus and newspaper ads, and radio announcements.

In the near future, SOCR will begin a RFP process for contracts with community-based organizations to conduct worker outreach to Seattle's low wage workers. This grant process is modelled on a highly successful grant process coordinated by the Race and Social Justice Initiative to increase understanding of structural racism. SOCR also will begin a RFP process for contracts with business organizations and/or consulting firms to increase awareness and understanding of Minimum Wage and other labor standards for small businesses and ethnic, minority and immigrant and refugee owned businesses.

Key Rules Issues:

During public engagement and research, the office learned that overwhelmingly, most ordinance questions can be answered by existing state and federal minimum wage law. Therefore, the draft rules address a trim list of issues and most of employer guidance will come from a newly revised and extensive FAQ document.

Examples of rules issues include subminimum wages for minors, learners, apprentices, and workers with a disability; definition of work study, tracking hours for occasional basis employees, payment rates for joint employers (e.g. staffing agencies and client employers that hire temporary workers), payroll records and civil penalties for first infractions.

Examples of FAQ issues include counting automatic service charges as wages, counting employees to determine schedule sizes, consulting state law for definitions of franchises, overnight hours for home care workers, commissions, bonuses, and private right of action under state minimum wage law.

Timeline

| Date | Item |
|----------------------|--|
| October 2014 | MWO Web site <ul style="list-style-type: none">- Notice of three public meetings for questions & rulemaking- FAQs, PowerPoint and other outreach materials- Calendar of Events- Email/Phone for SOCR staff to answer questions- Draft and Final Rules (coming soon)- Link to Multilingual Mobile Application (coming soon)- Multilingual (coming soon) |
| November 2014 | Public Meetings #1, 2 & 3 <ul style="list-style-type: none">- Bertha Landes- New Holly Gathering Hall- North Seattle Community Center |
| December 2014 | MWO Stakeholder Meetings #1 & 2 |
| January 2014 | MWO Stakeholder Meetings #3 & 4 Publication of New, One-page Summaries for Small & Large Employers Draft Rules published for notice & comment |
| February 2015 | Final MWO Rules |
| April 1, 2015 | MWO Implementation |

Attachment B – MWO Outreach

Timeline

| Date | Item |
|--|--|
| Presentations | |
| Ongoing, February through December (with most events in March/April) | Public Events <ul style="list-style-type: none"> - Public Forums for Rules - Business Trainings - Social Service Provider Trainings - CBO Contract Presentations & Trainings - Business Outreach Contract Presentations & Trainings - Community/Worker Trainings |
| Media | |
| March/April | Transit Ads. Interior and/or Side for 8 week run. Radio Spots. Partner with OIRA Ethnic Media Specialist. Community Print. Partner with OIRA Ethnic Media Specialist. |
| Outreach | |
| January | New Fact Sheets |
| March/April | Compliance Materials (poster) |
| | Multilingual Web site & Mobile Wage Calculator |
| | Office of Labor Standards Brochure |
| | General Postcard City Business Licenses with employees |
| | Personalized Postcard City Business Licenses in low-wage industries |
| | Videos and PSAs |
| | Table display items for community events |
| April /May | Promotional materials |
| | "Day of Action" materials (based on NYC event for paid sick leave that recruited 1400 volunteers to distribute 350,000 flyers) |
| Translations | |
| February/March | Translation of Newspaper ads, 6 languages. |
| | Translation of Workplace Poster, 6 languages. |
| | Translation of Brochures or Fact Sheets, 6 languages. |
| | Translation of Materials for Multi-lingual Web site |
| | Translation and Dubbing of Videos & PSAs. |
| | Interpretation at community events. |
| Miscellaneous | |
| On-going | Hospitality & Childcare for meetings |
| TOTAL estimated \$100,000 | |